



**California State Board of Pharmacy**  
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STATE AND CONSUMER SERVICES AGENCY  
DEPARTMENT OF CONSUMER AFFAIRS  
ARNOLD SCHWARZENEGGER, GOVERNOR

Virginia Herold  
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**California State Board of Pharmacy  
Department of Consumer Affairs  
Notice of Public Board Meeting  
January 23 and 24, 2008**

This board meeting is open to the public and is held in a barrier-free facility in accordance with the Americans with Disabilities Act. Any person with a disability who requires a disability-related modification or accommodation in order to participate in the public meeting may make a request for such modification or accommodation by contacting Michelle Leech at (916) 574-7912, at least five working days prior to the meeting. Opportunities are provided to the public to address the board on each open agenda item.

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**Agenda**

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**DATE: January 23 and 24, 2008**

**PLACE: Town and Country Resort & Convention Center  
500 Hotel Circle North  
San Diego, CA 92108  
(619) 291-7131**

*Note: Pharmacists and pharmacy technicians who attend the full day of the board meeting on Wednesday, January 23, 2008, may be awarded 6 hours of CE, in accordance with the board's CE policy.*

*The board's strategic plan organizes board activities into five committees of the board. Correspondingly, the board meeting agenda is organized around the committee reports as updates to the board on the committee's recent activities and may include recommendations for board action. An opportunity for public comment is provided at the end of each committee's report.*

**Wednesday, January 23, 2008**

**CALL TO ORDER** **8:45 a.m.**

**General Announcements**

**I. Approval of the Full Board Minutes of October 24 and 25, 2007** **8:50 a.m.**

**II. Workgroup on E-Pedigree Subcommittee**

- A. Report and Action on Items Discussed at the Workgroup on E-Pedigree Subcommittee Meeting of December 5, 2007
- B. Presentations to the Board on Electronic Pedigree Implementation
- C. Presentations to the Board on Readiness to Implement E-Pedigree Requirements by January 1, 2009
- D. Discussion and Action Regarding Implementation of Electronic Pedigree Requirements for Prescription Medicine in California
- E. Summary of the Meeting of December 5, 2007
- F. Second Quarterly Report on Enforcement Committee Goals for 2007/08

*Times are approximate and subject to change  
Meeting Materials will be available on the board's Web site at [www.pharmacy.ca.gov](http://www.pharmacy.ca.gov) by January 18, 2008*

**Public Comment**

**Break**

**Recognition of Pharmacists Licensed with the Board for 50 Years** 11:30 a.m.

**Lunch**

**Resumption of the E-Pedigree Subcommittee Items Remaining from the Morning Session** 1:15 p.m.

**Public Comment**

**III. Licensing Committee Report and Action** 3:00 p.m.

- A. Report and Action on Items Discussed at the Licensing Committee Meeting of December 11, 2007
  - 1. Update of Emergency Preparedness for California Pharmacy
  - 2. Competency Committee Report
- B. Meeting Summary of the December 11, 2007 Meeting
- C. Licensing Statistics
- D. Second Quarterly Report on Committee Goals for 2007/08

**Public Comment**

**IV. Communication and Public Education Committee Report and Action** 3:30 p.m.

- A. Report and Action on Items Discussed at the Communication and Public Education Committee Meeting of January 8, 2008
  - 1. Consumer Fact Sheet Series with California Pharmacist Interns
  - 2. Update Report on *The Script*
  - 3. Development of New Consumer Brochures
  - 4. New Notice to Consumers Poster Required by AB 2583 (Nation, Chapter 487, Statutes of 2006)
  - 5. Establishment of Public Hearing Schedule to Implement SB 472, Standardized, Patient-Centered Labels by 2011
  - 6. Update on the Newly Configured Board of Pharmacy Web Site
  - 7. Miscellaneous Consumer Issues in the Media
  - 8. Update on Public Outreach Activities
- B. Meeting Summary of the January 8, 2008 Meeting
- C. Second Quarterly Report on Committee Goals for 2007/08

**Public Comment**

**Break**

**V. New Business/Agenda Items for Future Meetings** 4:00 p.m.

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**PUBLIC MEETING OF THE ENFORCEMENT COMMITTEE (see separate agenda)  
4:05 p.m. or upon recess of the Board Meeting on Wednesday, January 23, 2008**

The Enforcement Committee is holding this public meeting in conjunction with the board meeting.

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**Thursday, January 24, 2008**

**VI. Closed Session**

**7:00 a.m.**

The board will convene in closed session pursuant to Government Code section 11126(c)(1) to discuss and evaluate the administration of the pharmacist licensure examination. Also, the board will move into closed session pursuant to Government Code section 11126(c)(3) to deliberate on disciplinary matters.

**VII. Legislation and Regulation Committee Report and Action**

**9:30 a.m.**

**Part 1: Regulation Report and Action (Note: CCR as used below means California Code of Regulations)**

**A. REGULATION HEARING**

Proposal to Repeal 16CCR § 1716.1 and 1716.2, and Amend §§ 1751 – 1751.8, and Adopt §§ 1735-1735.8

**B. Report and Action on Items Discussed at the Legislation and Regulation Committee Meeting of October 24, 2007**

**C. Approved Regulations**

1. Proposed Amendment of 16 CCR 1707.2 – Notice to Consumers
2. Proposed Amendment of 16 CCR 1749 – Fee Schedule
3. Section 100 Technical Changes
  - a. Proposed Amendment to 16 CCR § 1709.1 – Replace the Term “Exemptee-in-Charge” with “Designated Representative-in-Charge”
  - b. Proposed Amendment to 16 CCR § 1780.1 and 1781 – Replace the term “Exemptee” with “Designated Representative”
  - c. Proposed Repeal of 16 CCR § 1786 – Return of Exemption Certificate
  - d. Proposed Amendment to 16 CCR § 1715 – Self Assessment of a Pharmacy by the Pharmacist-in-Charge to Update for Changes in Pharmacy Law
  - e. Proposed Amendment to 16 CCR §1793.8 to Update Regulation Reference to Recodified Business and Professions Code § 4052
  - f. Proposed Amendment to 16 CCR § 1707 Waiver Requirements for Off-Site Storage of Records
  - g. Proposed Amendment to 16 CCR § 1787 Authorization to Distribute Dialysis Drugs and Devices
  - h. Proposed Amendment to 16 CCR § 1790 Assembling and Packaging
  - i. Proposed Amendment to 16 CCR § 1717 Pharmacy Practice
4. Addition to the California Building Code – 24 CCR 490A.3 and 505.12.2 Related to Compounding Parenteral Solutions: Technical Changes to the Building Code Relating to Pharmacies

**D. Board-Approved – Awaiting Public Notice**

1. Proposal to Require the Self Assessment of a Veterinary Food Animal Drug Retailer Premises, Addition of 16 CCR § 1785
2. Disciplinary Guidelines Changes -- Amendment to 16 CCR § 1760 – Disciplinary Guidelines
3. Section 100 Change: Update 16 CCR § 1780 – USP Standards Reference Material
4. Process and Criteria to Approve Accreditation Agencies for Pharmacies that Compound Sterile Injectable Drug Products
5. Dishonest Conduct On a Pharmacist Licensure Examination/Confidentiality: 16 CCR Sections 1721 and 1723.1

**E. Board-Approved – Regulation Language to be Developed  
Develop an Ethics Course for Pharmacists**

**Public Comment**

**Part 2: Legislation Report and Action**

**F. Board-Sponsored Legislation for 2008**

1. Omnibus Provisions – Previously Approved by the Board:
  - a. Licensing of Mobile Locations by the Board of Pharmacy for Emergencies – Amend Business and Professions Code § 4062
  - b. Temporary Permit for Damaged Pharmacies – Amend Business and Professions Code § 4110

2. Omnibus Provisions – Needing Board Approval
    - a. Pharmacist-in-Charge and Designated-Representative in Charge: Amend Business and Professions Code §§ 4022.5, 4101, 4113, 4160, 4196, 4305, 4329 4330 and Add §§ 4036.5
    - b. Who May Order Dangerous Drugs or Devices, Exceptions (Technical Change) – Amend Business and Professions Code § 4059.5
    - c. Record of Dangerous Drugs and Devices Kept Open for Inspection; Maintenance of Records, Current Inventory – § 4081
    - d. Furnishing Dangerous Drugs by a Pharmacy – Amend Business and Professions Code § 4126.5
    - e. Requirements for Renewal of Pharmacist License involving Continuing Education – Amend Business and Professions Code § 4231
    - f. Entry Into Pharmacists Recovery Program, Administrative Fee - B&PC 4362
    - g. Controlled Substance Utilization Review and Evaluation System, Clinic Reporting – H&SC § 11165
    - h. Corrections to Sections referencing Prior Business and Professions Code §§ 4052 – 733, 4027, 4040, 4051, 4060, 4076, 4111, 4174 and HSC § 11150
  3. Immunizations by Pharmacists Pursuant to Published Recommendations of the Advisory Committee on Immunization Practices – Amend Business and Professions Code § 4052 and Add § 4052.8
- G. Legislation Impacting the Practice of Pharmacy or the Board's Jurisdiction
1. AB 501 (Swanson) Pharmaceutical Devices
  2. AB 865 (Davis) State Agencies: Live Customer Service Agents
  3. AB 1436 (Hernandez) Nurse Practitioner Scope of Practice
  4. AB 1587 (de la Torre) and SB 843 (Calderon) Medical Information Marketing
  5. SB 963 (Ridley Thomas) Regulatory Boards: Sunset Review
  6. AB 1 X (Nunez) Health Care Reform

#### **Public Comment**

7. Second Quarterly Report on Committee Goals for 2007/08

#### **VIII. Organizational Development Committee Report and Action**

**11:00 a.m.**

- A. Report and Action of Items Discussed at the Organizational Development Meeting of January 15, 2008
  1. Budget Update/Report
    - a. Budget for 2007/08
    - b. Fund Condition Report
    - c. Implementation of Fee Increase on 1/1/08
    - d. Budget Constraints Announced by Governor Schwarzenegger
    - e. Reimbursement to Board Members
    - f. I-Licensing Progress
  2. Recognition Program of Pharmacists Who Have Been Licensed 50 Years
  3. Personnel Update
  4. Cashiering Update and Audit
  5. Meeting Summary of the Meeting of January 15, 2008
- B. Second Quarterly Report on the Committee's Goals for 2007/08

#### **Public Comment**

#### **Lunch**

#### **IX. Petition for Reinstatement**

**1:00 p.m.**

Bruce Figoten

#### **X. Closed Session**

At the close of the hearing, the board will move into closed session pursuant to Government Code section 11126(c)(3) to deliberate on the request for reinstatement. The board will also discuss the evaluation process of the executive officer.

#### **ADJOURNMENT**

**3:00 p.m.**